

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS**

**FOR THE FOURTH CIRCUIT**

SHERRY DOYLE,  
Plaintiff-Appellant,

v.

No. 99-2328

KENNETH S. APFEL, COMMISSIONER OF  
SOCIAL SECURITY,  
Defendant-Appellee.

Appeal from the United States District Court  
for the District of South Carolina, at Rock Hill.  
Dennis W. Shedd, District Judge.  
(CA-98-2938-10-19BD)

Submitted: February 29, 2000

Decided: March 17, 2000

Before MURNAGHAN, NIEMEYER, and TRAXLER,  
Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

W. Daniel Mayes, Aiken, South Carolina, for Appellant. John B. Grimball, Assistant Attorney General, J. Rene Josey, United States Attorney, John Berkley Grimball, Assistant United States Attorney, Deana R. Ertl-Lombardi, Chief Counsel, Allan D. Berger, Assistant Regional Counsel, Office of the General Counsel, SOCIAL SECURITY ADMINISTRATION, Denver, Colorado, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

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## OPINION

### PER CURIAM:

Sherry Doyle pursued a claim for Supplemental Security Income (SSI) payments under the Social Security Act, alleging disability due to a previous back injury, rheumatoid arthritis, and chronic deep venous thrombosis. An administrative law judge (ALJ) determined that, although Doyle could no longer perform her past relevant work, sufficient jobs existed in the national economy that she had the residual functional capacity to perform. Doyle appealed the ALJ's decision to the Appeals Council. She submitted additional documents from one of her treating physicians and records from a local hospital reflecting treatment that she received after the ALJ's decision. The Appeals Council found that this evidence did not provide a basis upon which to change the ALJ's decision and denied review.

Doyle then filed the present action. Pursuant to 28 U.S.C. § 636(b)(1) (1994), the matter was referred to a magistrate judge, who recommended that the Commissioner's decision be affirmed. Over Doyle's objection, the district court adopted the report and recommendation, affirming the denial of Doyle's claim. Doyle timely appealed.

This court reviews the denial of a claim for SSI to determine whether the Commissioner applied the correct legal standards and whether substantial evidence supports his findings. See Craig v. Chater, 76 F.3d 585, 589 (4th Cir. 1996). When the record includes new evidence that was presented to the Appeals Council, this court reviews the entire record to determine whether the Commissioner's decision meets this level of review. Having carefully considered the record under this standard, we affirm on the reasoning of the district court. See Doyle v. Apfel, No. CA-98-2938-10-19BD (D.S.C. Aug. 6, 1999).\* We dispense with oral argument because the facts and legal

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\*Although the district court's judgment or order is marked as "filed" on August 5, 1999, the district court's records show that it was entered

contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

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on the docket sheet on August 6, 1999. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the judgment or order was entered on the docket sheet that we take as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).